



U.S. Department
of Transportation
**Federal Railroad
Administration**

1200 New Jersey Ave, SE
Washington, DC 20590

August 5, 2019

Joseph Durso
MuckRock News
DEPT MR 78230
411A Highland Ave
Somerville, MA 02144

Re: FRA File No: FOIA-19-260

Dear Mr. Durso:

This letter acknowledges receipt by the Federal Railroad Administration (FRA) of your Freedom of Information Act (FOIA) request dated August 2, 2019, and received in the FOIA Office on the same date. FRA assigned your request the FOIA file number indicated above. Please use this number on all future correspondence regarding this request.

Be advised that the FRA is experiencing a high number of FOIA requests and is addressing backlogged requests with all due diligence on a first-in, first-out basis. Your request will be addressed in the order it was received. FRA regrets any inconvenience caused by the delay.

To assess fees, FRA placed you in the "All Other" requester category. *See* Department of Transportation's FOIA regulations, 49 C.F.R. § 7.42(g)(4), (j). As a requester in this fee category, you must pay a fee for all search time beyond two hours, but you do not pay a fee for record review. *See id.* at §§ 7.42(j) and 7.43(a)(2). While the regulation allows FRA to assume you are willing to pay up to the \$25 minimum charged by the agency, it cannot assume a maximum you would be willing to pay and begin processing your request without you first agreeing to a fee above \$25. *See id.* § 7.24(b)(3). To avoid delay caused by additional correspondence, you may wish to inform FRA now of the maximum fees that you are willing to pay. Please use FRAFOIA@dot.gov for this purpose. Refer to 49 C.F.R. §§ 7.24(b) and 7.42 for further explanation of the Department's fee schedule and fee categories.

If you are interested in railroad accident data or reports, including railroad supplied accident reports for specific accidents you can access these materials through the FRA's web site at: <https://safetydata.fra.dot.gov/officeofsafety>. If you satisfy your FOIA request through the website, please let us know so we can focus on other pending requests. If you have any questions regarding this request, please contact us at: FRAFOIA@dot.gov.

Sincerely,

Yolanda Brown
FOIA Program Analyst